

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE: COVIDIEN HERNIA MESH
PRODUCTS LIABILITY LITIGATION
NO. II**

MDL No. 1:22-md-03029-PBS

This Document Relates To:

Case No. 1:23-cv-11485

Jeffery Jenkins

SHORT FORM COMPLAINT

Plaintiff(s) file this Short Form Complaint pursuant to Case Management Order No. 7 and is to be bound by the rights, protections, and privileges and obligations of that Order. Plaintiff(s) hereby incorporate(s) the Master Complaint in MDL No. 3029 by reference. Plaintiff(s) further show(s) the Court as follows:

1. The name of Plaintiff/the person implanted with Defendants' Hernia Mesh Device(s):

Jeffery Jenkins

2. The name of any Consortium Plaintiff (if applicable):

3. Other Plaintiff(s) and Capacity (i.e., administrator, executor, guardian, conservator):

4. Current State of Residence:

Tennessee

5. District Court and Division in which action would have been filed absent direct filing:

U.S. District Court for the District of Massachusetts

6. Defendants (Check Defendants against whom Complaint is made):

☐ A. Covidien LP

☐ B. Sofradim Production SAS

☐ C. Other (please list: _____)

7. Identify which of Defendants' Hernia Mesh Device(s) was/were implanted (Check all device(s) implanted):

- ☐ Dextile Anatomical Mesh
- ☐ Parietene DS Mesh
- ☐ Parietene Polypropylene mesh
- ☐ Parietene ProGrip mesh
- ☐ Parietex Composite Mesh
- ☐ Parietex Composite Mono PM Mesh
- ☐ Parietex Composite PCO-OS or PCO-OB Mesh
- ☐ Parietex Composite Ventral Patch
- ☐ Parietex Hydrophilic 2D Mesh
- ☐ Parietex Hydrophilic 3D Mesh
- ☐ Parietex Hydrophilic Anatomical Mesh
- ☐ Parietex Monofilament Polyester Mesh
- ☐ Parietex Optimized Composite Mesh
- ☐ Parietex Plug & Patch
- ☒ Parietex ProGrip
- ☐ ProGrip Laparoscopic
- ☐ SurgiPro
- ☐ SurgiPro Plug & Patch
- ☐ Symbotex Composite Mesh
- ☐ Other (please list in space provided below):

8. Defendants' Hernia Mesh Device(s) about which Plaintiff is making a claim (Check all applicable device(s)):

- ☐ Dextile Anatomical Mesh
- ☐ Parietene DS Mesh
- ☐ Parietene Polypropylene mesh
- ☐ Parietene ProGrip mesh
- ☐ Parietex Composite Mesh
- ☐ Parietex Composite Mono PM Mesh
- ☐ Parietex Composite PCO-OS or PCO-OB Mesh
- ☐ Parietex Composite Ventral Patch
- ☐ Parietex Hydrophilic 2D Mesh
- ☐ Parietex Hydrophilic 3D Mesh
- ☐ Parietex Hydrophilic Anatomical Mesh
- ☐ Parietex Monofilament Polyester Mesh
- ☐ Parietex Optimized Composite Mesh
- ☐ Parietex Plug & Patch
- ☒ Parietex ProGrip
- ☐ ProGrip Laparoscopic
- ☐ SurgiPro
- ☐ SurgiPro Plug & Patch
- ☐ Symbotex Composite Mesh
- ☐ Other (please list in space provided below):

9. Date of Implantation and State of Implantation (if multiple devices, list date of implantation for each device and list the device implanted on such date):

10/17/2019 - Tennessee

10. As of the date of filing this Short Form Complaint, has the person implanted with Defendants' Hernia Mesh Device(s) had subsequent surgical intervention due to the Hernia Mesh Device(s)?: Yes X No

11. Basis of Jurisdiction:

Diversity of Citizenship

☐ Other: _____

12. Counts in the Master Complaint adopted by Plaintiff(s):

Count I – Strict Product Liability – Defective Design

Count II – Strict Product Liability – Failure to Warn

Count III – Strict Product Liability – Manufacturing Defect

Count IV – Negligence

Count V – Negligence Per Se

Count VI – Gross Negligence

☐ Count VII – State Consumer Protection Laws (Please identify applicable State Consumer Protection law(s)):

Count VIII – Breach of Implied Warranty

Count IX – Breach of Express Warranty

Count X – Negligent Infliction of Emotional Distress

Count XI – Intentional Infliction of Emotional Distress

Count XII – Negligent Misrepresentation

Count XIII – Fraud and Fraudulent Misrepresentation

- ☒ Count XIV – Fraudulent Concealment
- ☐ Count XV – Wrongful Death
- ☐ Count XVI – Loss of Consortium
- ☒ Count XVII – Punitive Damages
- ☐ Other Count(s) (please identify and state factual and legal bases for other claims not included in the Master Complaint below):

- ☒ Jury Trial is Demanded as to All Counts
- ☐ Jury Trial is NOT Demanded as to All Counts; if Jury Trial is Demanded as to Any Count(s), identify which ones (list below):

Respectfully submitted this 30th day of June, 2023

By: /s/ John J. Driscoll
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 30, 2023, the foregoing document was electronically filed with the Clerk of Court to be served by operation of the Court's CM/ECF system upon all registered parties and was served by email to covidienmeshmdl@us.dlapiper.com in accordance with CMO #7.

/s/ John J. Driscoll